

Appl. No 09/470,787  
Amendment dated December 19, 2003

### REMARKS/ARGUMENTS

The Examiner indicated in a facsimile dated December 16, 2003 that there are a number of outstanding formality objections to the claims. In this facsimile, the Examiner requests that claims 1, 3-18 and 21-33 be amended so that they are in condition for allowance.

Claim 1 has been amended to remove a semi-colon at the end of the claim. With the removal of the semi-colon, claim 1 now ends in a period.

Claims 3-8 have been amended to replace the phrase "A system as in claim..." with the phrase "The system as in claim...".

Claim 9 has been amended so that its preamble recites a "...data switching network having a queue with a queue size..." Applicant submits that there is now sufficient antecedent basis for the phrase "the total queue size". Applicant has further amended claim 9 to remove the word "and" from the end of the element (a), and inserted "; and" at the end of the second element of the claim.

Claims 10-12 have been amended to replace the phrase "A system as in claim..." with the phrase "The system as in claim...".

Claim 13 has been amended to replace the phrase "A system as in claim..." with the phrase "The system as in claim...". No further amendments have been made to claim 13, as the amendment to claim 9 now introduces antecedent support for the phrase "the total queue size". Applicant submits that the phrase "the pre-selected number of *N* regions..." has antecedent support in claim 9 which recites "threshold means for dividing the total queue size into a pre-selected number of *N* regions..." (emphasis added).

Claims 14-18 have been amended to replace the phrase "A system as in claim..." with the phrase "The system as in claim...".

Claims 21-26 have been amended to replace the phrase "A method as in claim..." with the phrase "The method as in claim...".

Claim 27 has been amended to replace the phrase "counting the number of newly arriving packets" with the phrase "counting a number of newly arriving packets". A further amendment

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has been made to replace the phrase "the total buffer size" with the phrase "the predetermined total buffer size".

Claims 28-30 have been amended to replace the phrase "A method as in claim..." with the phrase "The method as in claim...".

Claim 31 has been amended to replace the phrase "A method as in claim..." with the phrase "The method as in claim...". Claim 31 has been further amended to replace two occurrences of the phrase "the total buffer size" with the phrase "the predetermined total buffer size". A further amendment has been made to remedy a typographical error by replacing  $F(n,m)$  with  $F(n,m)$ .

Claims 32 and 33 have been amended to replace the phrase "A method as in claim..." with the phrase "The method as in claim...". Claim 32 has been further amended made to remedy a typographical error by replacing  $F(n,m)$  with  $F(n,m)$ .

Applicant submits that all antecedent errors raised by the Examiner have been addressed and that the application is now in condition for allowance.

Respectfully submitted,  
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